

## **Remarks for the "Response to Final Office Action dated 1/26/2007"**

**[0001]** Applicant respectfully requests reconsideration and allowance of all of the pending claims of the application. Claims 1, 3-25, and 74-77 are presently pending. Independent claims 1 and 73 have been amended. Claims withdrawn or cancelled herein are 2, and 26-72. New claims added herein are none.

### **Formal Request for an Interview**

**[0002]** If the Office's reply to this communication is anything other than allowance of all pending claims, then I formally request an interview with Examiner Kang. I encourage Examiner Kang to call me—the undersigned Attorney for the Applicant—so that we can talk about this matter so as to resolve any outstanding issue quickly and efficiently over the phone.

**[0003]** Otherwise, please contact me or my assistant to schedule a date and time for a telephone interview that is most convenient for both of us. While email works great for us, I welcome your call to either of us as well. Our contact information may be found on the last page of this response.

### **Claim Amendments**

**[0004]** Applicant amends claims 1 and 73 herein. The new claims are amended in order to expedite prosecution and quickly identify allowable subject matter.

## **Substantive Claim Rejections**

### **Claim Rejections under §§ 102 and 103**

**[0005]** Claims 1-8, 10-12, 14 and 73-75 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,801,937 to Novaes in view of U.S. Patent No. 6,519,615 to Wollrath. Claims 9 and 13 have been rejected under 35 U.S.C § 103(a) as being unpatentable over Novaes and Wollrath in view of U.S. Patent No. 6,801,937 to Hipp. Claim 76 have been rejected under 35 U.S.C § 103(a) as being unpatentable over Novaes and Wollrath in further view of U.S. Patent No. 6,529,953 to Van Renesse. The Applicant respectfully traverses these rejection, but in an attempt to advance prosecution, has amended the claims to incorporate allowable subject matter.

**[0006]** The Examiner has indicated that claims 15-25 and 77 are allowable. Specifically, the Examiner has indicated in the January 26, 2007 office action that these claims are allowable because the prior art cited fails to teach or suggest managing network traffic based on network filters received from one or more cluster operations management consoles and remote consoles, wherein the management component gives precedence to those from the cluster operations management consoles over that from remote consoles. The applicant thanks the Examiner for the acknowledgement of allowance of this subject matter.

**[0007]** Independent claims 1 and 73 have thus been amended to incorporate similar elements. Specifically independent claim 1 has been amended to include the element that:

a cluster operations tier to manage the operation of the computers without concern for what applications are executing on the one or more computers, wherein the cluster operations tier is responsible for securing a computer cluster boundary based on network filters received from a cluster operation tier console and a remote console giving precedence to those from the cluster operation tier console over the remote console to prevent a plurality of other computers that are not part of the computer cluster from accessing the one or more computers in the computer cluster.

Additionally, independent claim 73 has been amended to include the element that:

a second tier, implemented by a cluster operations management console and a remote console that establishes network traffic boundaries based on network filters, giving preference to those from the cluster operations management console over that from the remote console, corresponding to a hardware operator that is to manage hardware operations of the computer but not application software operations of the computer;

**[0008]** In light of the amendments herein, Applicant submits that these rejections are moot. Accordingly, Applicant asks Examiner Kang to withdraw these rejections.

## **Dependent Claims**

**[0009]** In addition to their own merits, each dependent claim is allowable for the same reasons that its base claim is allowable. Applicant submits that Examiner Kang withdraw the rejection of each dependent claim where its base claim is allowable.

## **Conclusion**

**[0010]** All pending claims are in condition for allowance. Applicant respectfully requests reconsideration and prompt issuance of the application. If any issues remain that prevent issuance of this application, **Examiner Kang is urged to contact me before issuing a subsequent Action.** Please call/email me or my assistant at your convenience.

Respectfully Submitted,

Dated: 4.25.07

By: 

Jason F. Lindh  
Reg. No. 59,090  
(509) 324-9256 x215  
jason@leehayes.com  
[www.leehayes.com](http://www.leehayes.com)

My Assistant: Carly Taylor  
(509) 324-9256 x264  
[carly@leehayes.com](mailto:carly@leehayes.com)